



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)

Paul E. Jacobs *et al.*)

Serial No. 09/728,099)

Filed: December 1, 2000)

For: E-MAIL SOFTWARE AND
METHOD AND SYSTEM FOR
DISTRIBUTING
ADVERTISEMENTS TO CLIENT
DEVICES THAT HAVE SUCH E-
MAIL SOFTWARE INSTALLED
THEREON

) Group No. 2152

REQUEST FOR CORRECTION OF OFFICIAL FILING RECEIPT

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

Dear Sir:

Upon review of the Filing Receipt issued for the above-identified application, an error has been identified, as follows:

Under **Continuing Data as Claimed by Applicant**, the Office has omitted Applicants' priority claim to Application Serial No. 09/609,123, filed June 30, 2000.

Submitted as evidence of Applicants' proper claim under 35 U.S.C. §120 to the benefit of the filing date above-identified application is Applicants' executed Combined Declaration and Power of Attorney.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on:

March 23, 2001

(Date of Deposit)

Deborah Dean

(Name of the Person Making Deposit)

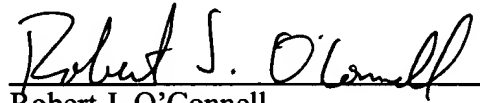
(Signature)

Applicants respectfully request that the Office records be corrected and that a new filing receipt be issued to Applicants. A copy of the incorrect Filing Receipt with the requested changes handwritten thereon and the Combined Declaration/Power of Attorney is enclosed for your convenience.

Respectfully submitted,

Dated: March 23, 2001

By:


Robert J. O'Connell
Registration No. 44,265

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 651-1179
Facsimile: (858) 658-2502



UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/728,099	12/01/2000	2152	1268	PA000385	42	51	3

CONFIRMATION NO. 4542

FILING RECEIPT



OC000000005719729

 QUALCOMM Incorporated
 5775 Morehouse Drive
 San Diego, CA 92121-1714

Date Mailed: 01/30/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

RECEIVED

FEB 07 2001

Applicant(s)

 Paul E. Jacobs, San Diego, CA;
 Franklin P. Antonio, Del Mar, CA;
 Steven Dorner, Urbana, IL;
 John W. Noerenberg, San Diego, CA;
 Jeffrey K. Belk, Poway, CA;
 Benjamin P. Ogdon, Del Mar, CA;
 Jeffrey D. Beckley, Poway, CA;
 Alan Bird, San Diego, CA;
 John D. Boyd, San Diego, CA;
 John S. Purlia, San Diego, CA;
 William J. Rhodes, San Diego, CA;
 David J. Ross, San Diego, CA;
 Matthew J. Dudziak, San Diego, CA;

Continuing Data as Claimed by Applicant

 THIS APPLN CLAIMS BENEFIT OF 60/169,622 12/08/1999
 WHICH CLAIMS BENEFIT OF 60/209,392 06/01/2000

Foreign Applications

09/609,123 filed 6/30/00
 which claims benefit of

and

If Required, Foreign Filing License Granted 01/26/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

E-mail software and method and system for distributing advertisements to client devices that have such e-mail software installed thereon

Preliminary Class

709

Data entry by : TEGBARU, HAIMANOT

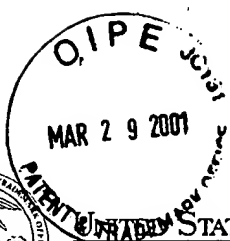
Team : OIPE

Date: 01/30/2001



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ATTORNEY DOCKET NO. PA000385



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/728,099	12/01/2000	Paul E. Jacobs	PA000385

CONFIRMATION NO. 4542

FORMALITIES LETTER



OC000000005719730

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, CA 92121-1714

RSD

Date Mailed: 01/30/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

RECEIVED

03/30/2001 TGEDAMU1 00000018 170026 09728099

FILED UNDER 37 CFR 1.53(b)

01 FC:105 130.00 CH

FEB 07 2001

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The following item(s) appear to have been omitted from the application:

- Figure(s) 18B-18E described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the

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Paul E. Jacobs *et al.*

Serial No. 09/728,099

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) **Group No. 2152**

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted under 37 CFR §1.53, which was mailed on January 30, 2001, enclosed are:

1. Office's copy of Form PTO-1533 as required;
2. Executed Combined Declaration/Power of Attorney;
3. Additional copy of this Response; and
4. Return postcard.

Please charge Deposit Account No. 17-0026 of QUALCOMM Incorporated in the amount of \$130.00. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 17-0026. A duplicate copy

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on:

March 23, 2001

(Date of Deposit)

Deborah Dean

(Name of the Person Making Deposit)

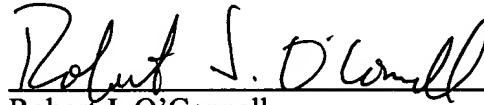
(Signature)

of this letter is enclosed. The Commissioner is further hereby authorized to charge to said Deposit Account No. 17-0026, pursuant to 37 CFR §1.25(b), any fee whatsoever that may become properly due or payable, as set forth in 37 CFR §1.16 to 37 CFR §1.18, inclusive, for the entire pendency of this application without specific additional authorization.

Respectfully submitted,

Dated: March 23, 2001

By:



Robert J. O'Connell

Registration No. 44,265

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 651-1179
Facsimile: (858) 658-2502

application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.

Haimanot Tegbaru

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

RECEIVED

FEB 07 2001